

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:22CR140
)	
vs.)	
)	
DONNALE CLAY,)	ORDER
)	
Defendant.)	

This matter is before the court on the defendant's Motion to Continue Trial [46]. Following a telephone conference with counsel and for the reasons set forth in the motion, the undersigned magistrate judge finds good cause for the continuance.

Accordingly,

IT IS ORDERED that the Motion to Continue Trial [46] is granted, as follows:

1. The jury trial now set for May 2, 2023, is continued to **August 18, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and August 18, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without counsel for the parties requesting a hearing before the undersigned magistrate judge.**

DATED: April 24, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge